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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,406	04/01/2004	Jeffrey C. Hawkins	24772-10754	7979
758	7590	12/01/2005	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			RAMPURIA, SHARAD K	
			ART UNIT	PAPER NUMBER
			2688	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/815,406	Applicant(s) HAWKINS, JEFFREY C.	
	Examiner Sharad Rampuria	Art Unit 2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

I. The current office-action is in response to the application filed on 4/1/04.

Accordingly, Claims 1-24 are pending for further examination as follows:

Claim Rejections - 35 USC § 102

II. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

III. Claims 1-3, 5 & 7-10 are rejected under 35 U.S.C. 102 (e) as being anticipated by Farazmandnia et al. [US 6625472]

As per claim 1, Farazmandnia teaches:

A peripheral device (1; Fig.2) for operation in conjunction with a wireless communication device (3; Fig.2), said peripheral device (Abstract, Col.1; 9-13) comprising:

A user interface (1; Fig.2, i.e. a keyboard inherently in a laptop or PDA) operable to receive user input data; (Col.4; 4-12, Col.5; 9-17)

A communication interface (i.e. USB Connector; Fig.2) operable to control transfer of said user input data to said wireless communication device and to control the transfer of data received from said wireless communication device (i.e. a mobile phone interface (MPI) is

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molded between the ends of a Universal Serial Bus (USB) cable. One end of the USB cable is plugged into a standard USB port on any personal computing device that supports the USB standard. The other end of the USB cable is plugged into a cellular telephone; Col.1; 66-Col.2; 4, Col.4; 64-Col.5; 8)

A display (1; Fig.2, i.e. a display inherently in a laptop or PDA) for displaying said user input data and said data received from said wireless communication device; (Col.4; 4-12) and

A processor (1; Fig.2, i.e. a processor inherently in a laptop or PDA) operable to process said user input data and data received from said wireless communication device; (Col.4; 4-12)

Wherein said peripheral device and said wireless communication device are configured to cooperatively process data in accordance with a predetermined protocol for execution of a software program whereby said peripheral device is the source of data input and data display for a user. (i.e. The MPI comprises several logic components that are controlled by software installed on the personal computing system. Preferably, the MPI is implemented using integrated circuit technology such as an application-specific integrated circuit (ASIC) or the like. In this fashion, the MPI can be made extremely small and unobtrusive to the user. In fact, in a preferred embodiment, the MPI is not much wider than the USB cable itself; Col.2; 5-12, Col.4; 56-63, Col.2; 35-56)

As per claim 2, Farazmandnia teaches:

The peripheral device of claim 1, wherein said communication device comprises a data processor and said software program is executed on said wire-less communication device. (Col.2; 23-34)

As per claim 3, Farazmandnia teaches:

The peripheral device of claim 1, wherein said software program is executed on said peripheral device. (Col.2; 5-12)

As per claim 5, Farazmandnia teaches:

The peripheral device of claim 1, further comprising a backup memory, operably coupled to said communication interface, for storing a backup copy of data received from said wireless communication device. (i.e. storing in the memory; Col.8; 16-26)

As per claim 7, Farazmandnia teaches:

The peripheral device of claim 1, wherein said communication interface further transmits a signal to said wireless communication device directing said wireless communication device to transmit at least one data item and a data request via a network connection. (8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 8, Farazmandnia teaches:

The peripheral device of claim 1, wherein said communication interface further receives a signal from said wireless communication device representing at least one data item received by said wireless communication device via a network connection. (8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 9, Farazmandnia teaches:

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The peripheral device of claim 1, wherein said communication interface further transmits a signal to said wireless communication device directing said wireless communication device to transmit at least one data item and a data request via the Internet. (i.e. internet, 8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 10, Farazmandnia teaches:

The peripheral device of claim 1, wherein said communication interface further receives a signal from said wireless communication device representing at least one data item received by said wireless communication device via the Internet. (i.e. internet, 8; Fig.1, Col.4; 4-12 and 26-32)

Claim Rejections - 35 USC § 103

IV. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

V. Claims 4 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farazmandnia in view of Guerlin et al. [US 5870680]

As per claim 4, Farazmandnia teaches all the particulars of the claim except peripheral device automatically turns on in response to at least one predefined event. However, Guerlin teaches in an analogous art, that the peripheral device of claim 1, wherein said peripheral device automatically turns on in response to at least one predefined event. (i.e. When it has not received any scanning messages in a predetermined time interval, the microprocessor 240 in the microcomputer 2 commands the activity controller 242 via the bus Bca' to deactivate/activate the clock circuits timing the microprocessor 240 and the interface circuit 25; Col.6; 17-28, Col.7; 1-8) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Farazmandnia including peripheral device automatically turns on in response to at least one predefined event in order to provide making provision for placing the microprocessors and the input-output interface circuits in the mobile telephone and the microcomputer on standby.

As per claim 6, Farazmandnia teaches all the particulars of the claim except communication interface is adapted to automatically establish connectivity with said peripheral device in response to at least one predefined event. However, Guerlin teaches in an analogous

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art, that the peripheral device of claim 1, wherein said communication interface is adapted to automatically establish connectivity with said peripheral device in response to at least one predefined event. (i.e. When it has not received any scanning messages in a predetermined time interval, the microprocessor 240 in the microcomputer 2 commands the activity controller 242 via the bus Bca' to deactivate/activate the clock circuits timing the microprocessor 240 and the interface circuit 25; Col.6; 17-28, Col.7; 1-8) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Farazmandnia including communication interface is adapted to automatically establish connectivity with said peripheral device in response to at least one predefined event in order to provide making provision for placing the microprocessors and the input-output interface circuits in the mobile telephone and the microcomputer on standby.

VI. Claims 11-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farazmandnia in view of Guerlin and further in view of Usui [US 6895220].

As per claim 11, Farazmandnia teaches:

A peripheral device (1; Fig.2) for operation in conjunction with a separate wireless communication device (3; Fig.2), said peripheral device (Abstract, Col.1; 9-13) comprising:

A user interface (1; Fig.2, i.e. a keyboard inherently in a laptop or PDA) operable to receive user input data; (Col.4; 4-12, Col.5; 9-17)

A communication interface (i.e. USB Connector; Fig.2) operable to control transfer of said user input data to said wireless communication device (i.e. a mobile phone interface (MPI)

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is molded between the ends of a Universal Serial Bus (USB) cable. One end of the USB cable is plugged into a standard USB port on any personal computing device that supports the USB standard. The other end of the USB cable is plugged into a cellular telephone; Col.1; 66-Col.2; 4, Col.4; 64-Col.5; 8)

A processor (1; Fig.2, i.e. a processor inherently in a laptop or PDA) operable to process said user input data and data received from said wireless communication device; (Col.4; 4-12) Wherein said peripheral device and said wireless communication device are configured to cooperatively process data in accordance with a predetermined protocol for execution of a software program whereby said peripheral device is the source of data input and data display for a user. (i.e. The MPI comprises several logic components that are controlled by software installed on the personal computing system. Preferably, the MPI is implemented using integrated circuit technology such as an application-specific integrated circuit (ASIC) or the like. In this fashion, the MPI can be made extremely small and unobtrusive to the user. In fact, in a preferred embodiment, the MPI is not much wider than the USB cable itself; Col.2; 5-12, Col.4; 56-63, Col.2; 35-56)

A display (1; Fig.2, i.e. a display inherently in a laptop or PDA) for displaying said user input data and said data received from said wireless communication device; (Col.4; 4-12) and

Farazmandnia fails to teach communication interface is operable to automatically establish connectivity with said wireless communication device in response to at least one predefined event. However, Guerlin teaches in an analogous art, that wherein said communication interface is operable to automatically establish connectivity with said wireless communication device in response to at least one predefined event; (i.e. When it has not received

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any scanning messages in a predetermined time interval, the microprocessor 240 in the microcomputer 2 commands the activity controller 242 via the bus Bca' to deactivate/activate the clock circuits timing the microprocessor 240 and the interface circuit 25; Col.6; 17-28, Col.7; 1-8) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Farazmandnia including communication interface is operable to automatically establish connectivity with said wireless communication device in response to at least one predefined event in order to provide making provision for placing the microprocessors and the input-output interface circuits in the mobile telephone and the microcomputer on standby.

The above combination fails to teach a combined wirelessly-enabled data processor and wherein said peripheral device is the source of data input and data display for a user using said wirelessly-enabled data processor. However, Usui teaches in an analogous art, that wherein said peripheral device and said separate wireless communication device define a combined wirelessly-enabled data processor and wherein said peripheral device is the source of data input and data display for a user using said wirelessly-enabled data processor. (Col.3; 65-Col.4; 15, Col.6; 33-37) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Farazmandnia and Guerlin including a combined wirelessly-enabled data processor and wherein said peripheral device is the source of data input and data display for a user using said wirelessly-enabled data processor in order to provide a mobile communication device which can carry a short range wireless data communication.

As per claim 12, Farazmandnia teaches:

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The peripheral device of claim 11, further comprising an enclosure having an opened position and a closed position, wherein said predetermined event for establishing connectivity is the transition of said enclosure from said closed position to said open position. (Col.1; 66-Col.2; 4 and abstract)

As per claim 13, Farazmandnia teaches:

The peripheral device of claim 11, wherein said predetermined event for establishing connectivity is a signal transmitted by said wireless communication device. (Col.4; 33-40)

As per claim 14, Farazmandnia teaches:

The peripheral device of claim 11, wherein said processed data is stored in a storage medium on said peripheral device. (i.e. storing in the memory; Col.8; 16-26)

As per claim 15, Farazmandnia teaches:

The peripheral device of claim 11, wherein said processed data is stored in a storage medium on said wireless communication device. (Col.2; 23-34)

As per claim 16, Farazmandnia teaches:

The peripheral device of claim 11, wherein said communication interface further transmits a signal to said wireless communication device directing said wireless communication device to transmit at least one data item and a data request via a network connection. (8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 17, Farazmandnia teaches:

The peripheral device of claim 11, wherein said communication interface further receives a signal to said wireless communication device directing said wireless communication device to received by at least one data item and a data request via a network connection. (8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 18, Farazmandnia teaches:

The peripheral device of claim 11, wherein said communication interface further transmits a signal to said wireless communication device directing said wireless communication device to transmit at least one data item and a data request via the Internet. (i.e. internet, 8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 19, Farazmandnia teaches:

The peripheral device of claim 11, wherein said communication interface further receives a signal from said wireless communication device representing at least one data item received by said wireless communication device via the Internet. (i.e. internet, 8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 20, Farazmandnia teaches:

The peripheral device of claim 11, further comprising a network interface, coupled to said processor, for transmitting at least one of a data item and a data request via a network

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connection, and for receiving at least one data item via said network connection. (8; Fig.1, Col.4; 4-12 and 26-32)

As per claim 21, Farazmandnia teaches:

The peripheral device of claim 11, wherein said communication interface further receives, from said wireless communication device, software code for at least one software application. (Col.2; 5-12)

As per claim 22, Farazmandnia teaches:

The peripheral device of claim 11, further comprising memory for storing said application data and said processed data. (i.e. storing in the memory; Col.8; 16-26)

As per claim 23, Farazmandnia teaches:

The peripheral device of claim 18, wherein said memory stores said application data and said processed data from one user session to at least one subsequent user session. (Col.2; 5-12)

As per claim 24, Farazmandnia teaches:

The peripheral device of claim 11, further comprising a backup memory, coupled to said communication interface, for storing a backup copy of data received from said wireless communication device. (i.e. storing in the memory; Col.8; 16-26)

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Conclusion

VII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870.


The examiner can normally be reached on M-F. (8:15-4:45).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.

Sharad Rampuria
Examiner
Art Unit 2688

November 22, 2005


GEORGE ENG
PRIMARY EXAMINER